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MERCHANT & GOULD PC			CHEN, SHIN HON	
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MINNEAPOLIS, MN 55402-0903			PAPER NUMBER	
			2131	

DATE MAILED: 04/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/663,811

Applicant(s)

HACHERL ET AL.

Examiner

Shin-Hon Chen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3, 5-7 and 9-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-3, 5-7 and 9-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 September 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Claims 1-3, 5-7, and 9-22 have been examined.

#### *Claim Objections*

2. Claim 22 is objected to because of the following informalities: claim discloses a computer readable medium while it depends on a claim that discloses a method. Appropriate correction is required.

#### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-4, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Clifton U.S. Pat. No. 5469556 (hereinafter Clifton) in view of Bacha et al. U.S. Pat. No. 6839843 (hereinafter Bacha) and further in view of Negishi et al. U.S. Pat. No. 6571278 (hereinafter Negishi).

5. As per claim 1, Clifton discloses a computer-readable medium having computer-executable instructions for protecting domain data against unauthorized modification (Clifton: column 2 line 28 – column 4 line 34: provide resource access security system), comprising: receiving a request to modify an object (Clifton: column 3 line 67 – column 4 line 8: user information related to the requested resources), the object including a security descriptor

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identifying an owner domain in the plurality of domains (Clifton: column 3 lines 8-52: using the resource descriptor...and identify the domain); determining whether the user is within the owner domain by retrieving from the security descriptor the identity of the owner domain and comparing the owner domain identity to the domain within which the first computing machine resides (Clifton: column 3 line 54 – column 4 line 8: the requester's information and the domain table; column 3 line 18 – column 4 line 26: use the domain information to determine access); and if the user is not within the owner domain, rejecting the request to modify the object (Clifton: column 4 lines 18-25: access is only permitted to the resource identified by the user/job, domain, and page information). Clifton does not explicitly disclose the first computing machine resides in a domain and the security descriptor identifying an owner domain having an identification of one or more users. However, Bacha discloses storing an electronic data into a database in a distributed network and allow users that are included in access control list associated with the electronic data to access and modify the data and have access ownership privileges (Bacha: column 3 lines 2-15). It would have been obvious to one having ordinary skill in the art to store the access control list with the electronic data in the form of security descriptor and replace the user disclosed by Clifton with requesting computers disclosed by Bacha to achieve data protection in distributed network. Therefore, it would have been obvious to one having ordinary skill in the art at the time of applicant's invention to combine the teachings of Bacha within the system of Clifton because it controls access to data by retrieving security specifications associated with the data. Clifton as modified does not explicitly disclose the receiving at a first computing machine a request to modify an object associated with a shared data structure and plurality of computers involved in the network. However, Negishi discloses that limitation

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(Negishi: column 2 lines 26-42: receiving modification request). The user disclosed by Clifton can be represented by computers disclosed by Negishi to apply to the data sharing security system. It would have been obvious to one having ordinary skill in the art to combine the teachings of Negishi within the system of Clifton because it increases network security by first identifying the security of the requester.

6. As per claim 2, Clifton as modified discloses the computer-readable medium of claim 1. Clifton further discloses if the first computing machine is within the owner domain, allowing the request to modify the object (Clifton: column 4 lines 18-25: access is only permitted to the resource identified by the user, domain, and page information).

7. As per claim 3, Clifton as modified discloses the computer-readable medium of claim 1. Clifton as modified further discloses the shared data structure includes at least one data store that is replicated among each of the plurality of domains, and wherein the object is contained within the replicated data store. However, Negishi discloses that limitation (Negishi: column 2 lines 25-42: the replica of the shared data; column 4 lines 27-39: the number of computers is not limited to two). It would have been obvious to one having ordinary skill in the art to combine the teachings of Negishi within the combination of Clifton-Negishi-Sampson because it prevents modification conflict to take place on the actual data by resolving the conflict detected in the replicated shared file storage.

8. As per claim 21, Clifton as modified discloses the computer-readable medium of claim 1. Clifton as modified further disclose the security descriptor includes permissions associated with the one or more users (Clifton: column 3 lines 8-52: using the resource descriptor...and identify the domain).

9. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Clifton in view of Bacha and further in view of Negishi and further in view of Dockter et al. U.S. Pat. No. 6295605 (hereinafter Dockter).

10. As per claim 5, Clifton as modified discloses the computer-readable medium of claim 1. Clifton-Negishi-Sampson does not explicitly disclose the security descriptor further comprises a field that indicates whether a special security evaluation should be performed on requests to modify the object, and wherein the computer executable instructions further comprise, if the field indicates that the special security evaluation should be performed, causing the special security evaluation to be performed. However, Dockter discloses that limitation (Dockter: column 3 lines 30-38: system resource/object are assigned classification level; column 4 line 43 – column 5 line 23: further security evaluation is required if the preceding evaluation cannot determine the access). It would have been obvious to one having ordinary skill in the art to include information in the security descriptor to indicate further security evaluation is required when previous security evaluation cannot determine access to resource. Therefore, it would have been obvious to one having ordinary skill in the art to combine the teachings of Dockter within the combination of Clifton-Bacha-Negishi because it increases the efficiency in evaluating access security.

11. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Clifton in view of Bacha and further in view of Negishi and further in view of Dockter and further in view of Goertzel et al. U.S. Pat. No. 6308273 (hereinafter Goertzel).

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12. As per claim 6, Clifton as modified discloses the computer-readable medium of claim 5. Clifton as modified does not explicitly disclose the special security evaluation comprises causing requesting that a second computing machine within the owner domain evaluate whether an entity issuing the request to modify the object is authorized to modify the object. However, Goertzel discloses that limitation (Goertzel: column 5 lines 31-67: check the location and domain of the requesting computer). It would have been obvious to one having ordinary skill in the art to combine the teachings of Goertzel within the combination of Clifton-Bacha-Negishi-Dockter because it increases network resource security by limiting access to uncertain domains.

13. Claims 7-12 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Clifton in view of Goertzel and further in view of Negishi and further in view of Dockter and further in view of Bacha.

14. As per claim 7, Clifton discloses a computer-implemented method for protecting domain data against unauthorized modification (Clifton: column 2 line 28 – column 4 line 34: provide resource access security system), comprising: receiving a request from an user in a first domain to modify an object, the request identifies at least one group of which the requester is a member (Clifton: column 3 line 54 – column 4 line 8: the requester's information and the domain table), the object having an associated security descriptor identifying an owner domain for the object (Clifton: column 3 lines 8-52: using the resource descriptor...and identify the domain). Clifton does not explicitly disclose security token identifying at least one group of which the requester is a member. However, Goertzel discloses that limitation (Goertzel: column 9 lines 5-43: the access token has security identifier based on user's credentials and group ID). It would have been

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obvious to one having ordinary skill in the art to combine the teachings of Goertzel within the system of Clifton because it allows first level security evaluation to be performed based on the user's credentials. The combination of Clifton-Goertzel does not explicitly disclose the receiving at a first computing machine a request to modify an object associated with a shared data structure and plurality of computers involved in the network. However, Negishi discloses that limitation (Negishi: column 2 lines 26-42: receiving modification request). It would have been obvious to one having ordinary skill in the art to replace user/job disclosed by Clifton by computers disclosed by Negishi to apply to the data sharing/network security system. Therefore, it would have been obvious to one having ordinary skill in the art to combine the teachings of Negishi within the combination of Clifton-Goertzel because it increases network security by first identifying the security of the requester. The combination of Clifton-Goertzel-Negishi does not explicitly disclose the object having a flag to identify whether a special security evaluation is to be performed on requests to modify the object; determining from the flag whether the special security evaluation is to be performed on the request to modify the object; if the flag indicates in the affirmative, then performing the special security evaluation on the request to modify the object by passing the security token associated with the request and the security descriptor associated with the object to the owner domain for evaluation; and if the special security evaluation approves the request to modify the object then allowing the request to modify the object to proceed. However, Dockter discloses that limitation (Dockter: column 3 lines 30-38: system resource/object are assigned classification level; column 2 lines 31-50: acquire qualification data regarding to the access request; column 4 line 43 – column 5 line 23: further security evaluation is required if the preceding evaluation cannot determine the access). It would



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have been obvious to one having ordinary skill in the art to include information in the security descriptor to indicate further security evaluation is required when previous security evaluation cannot determine access to resource. Therefore, it would have been obvious to one having ordinary skill in the art to combine the teachings of Dockter within the combination of Clifton-Goertzel-Negishi because it increases the efficiency in evaluating access security. Clifton as modified does not explicitly disclose the object having an associated security descriptor and having an identification of one or more users. However, Bacha discloses that limitation (Bacha: column 3 lines 3-17). Same rationale applies here as above in claim 1.

15. As per claim 9, Clifton as modified discloses the method according to claim 7. Dockter further discloses if the flag indicates in the negative, then performing a security evaluation on the request to modify the object (Dockter: column 4 line 45 – column 5 line 23: continue evaluation if the previous evaluation result is undetermined). It would have been obvious to one having ordinary skill in the art to combine the teachings of Dockter within the combination of Clifton-Goertzel-Negishi-Dockter-Bacha because it allows the system to avoid further evaluation if the requester cannot pass basic evaluations.

16. As per claim 10, Clifton as modified discloses the method according to claim 9. Goertzel further discloses the security evaluation comprises comparing the security token with the security descriptor to determine whether the requester is a member of any groups that have been granted permission to access the object (Goertzel: column 9 lines 5-43). It is obvious to one having ordinary skill in the art to adopt different types of security evaluation based on different user information. Therefore, it would have been obvious to one having ordinary skill in the art to combine the teachings of Goertzel within the combination of Clifton-Goertzel-Negishi-Dockter-

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Bacha because it is well known in the art to execute access control based on user information/credentials as well as user's security level.

17. As per claim 11, Clifton as modified discloses the method according to claim 10. Negishi further discloses the security evaluation further comprises determining whether the request to modify the object is a modification for which the requester is privileged on the first machine regardless of whether the requester is a member of any groups that have been granted permission to access the object (Negishi: column 3 lines 1-45: the security evaluation is based on the classification level of the users). It would have been obvious to one having ordinary skill in the art to combine the teachings of Negishi within the combination of Clifton-Goertzel-Negishi-Dockter-Bacha because it is well known in the art to execute access control based on user information/credentials as well as user's security level.

18. As per claim 12, Clifton as modified discloses the method according to claim 11. Goertzel further discloses the security evaluation further comprises if the requester is privileged to perform the request to modify the object, and the requested modification is a fundamental modification of the object, then denying the request if the first domain is not the owner domain for the object (Goertzel: column 1 line 55 – column 2 line 10; column 5 lines 11-67: the normal access token is restricted if the user is not within the domain or location authorized by the system). It would have been obvious to one having ordinary skill in the art to combine the teachings of Goertzel within the combination of Clifton-Goertzel-Negishi-Dockter-Bacha because it prevents unauthorized parties to access network resources through unauthorized links.

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19. As per claim 22, Clifton as modified discloses the method of claim 1. Clifton as modified further disclose the security descriptor includes permissions associated with the one or more users (Clifton: column 3 lines 8-52: using the resource descriptor...and identify the domain).

20. Claims 13 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sampson in view of Negishi and further in view of Clifton and further in view of Bacha.

21. As per claim 13, Sampson discloses a computer-readable medium having computer-executable components to protect domain data against unauthorized modification (Sampson: column 3 lines 20-43: access control system); comprising: a shared data structure that spans a plurality of domains (Sampson: column 4 lines 13-21: multiple domains), at least two domains in the plurality of domains having a transitive trust relationship wherein a user authentication within one of the two domains is honored in the other of the two domains (Sampson: column 3 lines 20-33). Sampson does not explicitly disclose the shared data structure having at least one data store that is replicated among each of the plurality of domains. However, Negishi discloses that limitation (Negishi: column 2 lines 29-31: replica of shared data; column 4 lines 27-39: the number of computer is not limited to two and same components are provided to both computers so that means each computer has a replica or shared data). It would have been obvious to one having ordinary skill in the art to combine the teachings of Negishi within the system of Sampson because it prevents modification conflict to take place on the actual data by resolving the conflict detected in the replicated shared file storage. The combination of Sampson-Negishi does not explicitly disclose an object stored within the data store, the object having a plurality of attributes, at least one of the attributes being related to security access rights

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associated with the object, the security access rights including an owner domain identifier identifying one of the domains within the plurality of domains. However, Clifton discloses those limitations (Clifton: column 3 lines 8-52). It would have been obvious to one having ordinary skill in the art to combine the teachings of Clifton within the combination of Sampson-Negishi because it increases security by prohibiting users from accessing data based on their domain information. Negishi further discloses a security system configured to receive a request to modify the object (Negishi: column 2 lines 29-31: a receiver for receiving modification request). It would have been obvious to one having ordinary skill in the art to combine the teachings of Negishi within the combination of Sampson-Negishi-Clifton because it is obvious to receive an access request before the system can execute access control. Clifton further discloses to retrieve from the object the owner domain identifier, to compare the owner domain identifier with an identifier of a domain from which the request originated, and to reject the request to modify the object if the owner domain identifier does not match the identifier of the domain from which the request originated (Clifton: column 3 line 53 – column 4 line 26). Same rationale applies here as above. Sampson as modified does not explicitly disclose the object having an associated security descriptor and having an identification of one or more users. However, Bacha discloses that limitation (Bacha: column 3 lines 3-17). Same rationale applies here as above in claim 1.

22. As per claim 20, Sampson as modified discloses the computer readable medium according to claim 13. Clifton further discloses the at least one attribute comprises a security descriptor, and the owner domain identifier is part of an owner security identifier (Clifton: column 3 lines 8-53). It would have been obvious to one having ordinary skill in the art to combine the teachings of Clifton within the combination of Sampson-Negishi-Clifton-Bacha

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because it increases security by prohibiting users from accessing data based on their domain information.

23. Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sampson in view of Negishi and further in view of Clifton and further in view of Bacha and further in view of Jiang et al. U.S. Pat. No. 6453354 (hereinafter Jiang) and further in view of Gupta et al. U.S. Pat. No. 6226752 (hereinafter Gupta).

24. As per claim 14, Sampson as modified discloses the computer readable medium according to claim 13. Sampson as modified does not explicitly disclose the security access rights associated with the object further comprise an indicator that an attempt to access the object is to be evaluated within the domain identified by the owner domain; and the security system is further configured to, prior to performing a security evaluation on a received request to modify the object, determine from the indicator whether the request to modify the object should be evaluated within the domain identified by the owner domain, and if so, to return a notification to the requestor that the security evaluation is to be evaluated within the domain identified by the owner domain. However, Jiang discloses access request to file system is forwarded to owner of the file if the request is not received by the owner of the file system (Jiang: column 13 lines 4-61). It would have been obvious to one having ordinary skill in the art to combine the teachings of Jiang within the combination of Sampson-Negishi-Clifton-Bacha because it prevents a system from processing a request that it's not capable of processing. Jiang also discloses the first system forwards the request to another file system if it's not the owner of the requesting file. Jiang does not explicitly disclose redirecting the requestor to another system. However, Gupta discloses that

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limitation (Gupta: column 14 line 65 – column 15 line 35: redirect the client requestor to the second server). It would have been obvious to one having ordinary skill in the art to combine the teachings of Gupta within the combination of Sampson-Negishi-Clifton-Bacha-Jiang because it allows direct communication between two parties.

25. As per claim 15, Sampson as modified discloses the computer-readable medium according to claim 14. Sampson as modified further discloses the notification to the requester comprises a referral message including an identification of the owner domain (Gupta: column 12 lines 13-24: redirect message). It would have been obvious to one having ordinary skill in the art to combine the teachings of Gupta within the combination of Sampson-Negishi-Clifton-Bacha-Jiang-Gupta because it helps the requestor to connect to the second server without much interaction.

26. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sampson in view of Negishi and further in view of Clifton and further in view of Bacha and further in view of Goertzel.

27. As per claim 16, Sampson as modified discloses the computer readable medium according to claim 13. Sampson as modified does not explicitly disclose the security system if further configured to determine whether the request to modify the object originated within a particular domain of the plurality of domains, and if so, then to perform a standard security evaluation of the request to modify the object without resort to the owner domain. However, Goertzel discloses that limitation Goertzel: column 1 line 55 – column 2 line 10; column 5 lines 11-67: the normal access token is restricted if the user is not within the domain or location

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authorized by the system). It would have been obvious to one having ordinary skill in the art to combine the teachings of Goertzel within the combination of Sampson-Negishi-Clifton-Bacha because it prevents unauthorized parties to access network resources through unauthorized links and it enhances security measures if the request is not originated from authorized domains or locations.

28. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sampson in view of Negishi and further in view of Clifton and further in view of Bacha and further in view of Goertzel and further in view of Bellovin et al. U.S. Pat. No. 5805820 (hereinafter Bellovin).

29. As per claim 17, Sampson as modified discloses the computer readable medium according to claim 16. Sampson as modified does not explicitly disclose the particular domain is a root domain of the shared data structure. However, Bellovin discloses that limitation (Bellovin: column 3 lines 16-59 and figures 1 and 3: the root domain has the highest level of authority for domain names). It would have been obvious to one having ordinary skill in the art to combine the teachings of Bellovin within the combination of Sampson-Negishi-Clifton-Bacha-Goertzel because since root domain has the highest level of authority, it has the authority to process all of the access requests.

30. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sampson in view of Negishi and further in view of Clifton and further in view of Bacha and further in view of Antur et al. U.S. Pat. No. 6243815 (hereinafter Antur).

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31. As per claim 18, the combination of Sampson-Negishi-Clifton discloses the computer readable medium according to claim 13. Sampson-Negishi-Clifton does not explicitly disclose the shared data structure comprises a directory service and wherein the at least one data store comprises configuration data associated with the directory service. However, Antur discloses that limitation (Antur: column 2 lines 35-49: storing configuration data by network directory service server). It would have been obvious to one having ordinary skill in the art to combine the teachings of Antur within the combination of Sampson-Negishi-Clifton-Bacha because it improves firewall configuration by updating and reconfiguring network firewall at a single administration point.

32. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sampson in view of Negishi and further in view of Clifton and further in view of Bacha and further in view of Lumelsky et al. U.S. Pat. No. 6466980 (hereinafter Lumelsky).

33. As per claim 19, Sampson as modified discloses the computer readable medium according to claim 13. Sampson as modified does not explicitly disclose the shared data structure comprises a directory service and wherein the at least one data store comprises schema data associated with the directory service. However, Lumelsky discloses that limitation (Lumelsky: column 9 line 22 – column 10 line 3: replica directory maintained by directory service...including schema and data). It would have been obvious to one having ordinary skill in the art to combine the teachings of Lumelsky within the combination of Sampson-Negishi-Clifton because provides adaptive resource management function for distributed resources that could shape system capacity to the needs of the environment.



***Response to Arguments***

34. Applicant's arguments filed on 2/6/06 have been fully considered but they are not persuasive.

35. Regarding applicant's remarks, applicant argues that a user domain and owner domain is different and applicant argues that the Clifton reference does not explicitly disclose owner domain. However, the limitation "owner domain" is disclosed by Bacha reference above (Bacha: column 3 lines 2-15). Furthermore, "owner domain" does not provide any functionality as disclosed in the claim. Therefore, the examiner has interpreted the "owner domain" as a domain for which a user/job has access to.

36. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., owner domain) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

37. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

***Conclusion***

38. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

39. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shin-Hon Chen whose telephone number is (571) 272-3789. The examiner can normally be reached on Monday through Friday 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shin-Hon Chen  
Examiner  
Art Unit 2131

SC

CHRISTOPHER REVAK  
PRIMARY EXAMINER

*Cell 4/26/06*